THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE DR.JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1616 OF 2005.

Between

Jaswanth Singh son of Narsing

Bhan Singh,aged 71 yrs, retd.

Employee, R/p H.No.14-2-134,

Goshamahal, Hyderabad.

....Appellant

And

1.Commissioner and Director of

Agriculture, Opp.L.B.Stadium,

A.P. Hyderabad and another.

....Respondents

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

In this appeal, the appellant who is the respondent seeks to assail the conditional interim order granted by the learned single Judge in an application filed subject to deposit of half of the E.P. amount. However, the respondent was

not permitted to withdraw the said amount.

Having considered the submissions made and on perusal of the record, it is seen that after depositing the half of the E.P. amount, the learned single Judge ought to have given permission to the respondent to withdraw the amount as to the extent indicated.

In view of the above, the writ appeal is accordingly allowed and the order of the learned single Judge is modified to the extent that the amount as directed to be deposited on behalf of the respondent/writ petitioner to the extent of half of the E.P. amount is permitted to withdraw the same after furnishing security.

B.PRAKASH RAO, J

G.YETHIRAJULU, J

Dated: 06-09-2005

Hsd